

In the instant application, there are limitations in Applicant's independent claim 1 which are not taught or suggested by Lin and / or Armstrong. As stated in Applicant's previous reply, Armstrong functions differently from Applicant's claimed subject matter.

While Armstrong discloses the use of a clear plastic cover, the cover is designed solely to cover the entire outer surface of an encased instrument so that all of the exterior surfaces of the instrument may be preserved. There is no suggestion in Armstrong to cover any less than the whole instrument. Further, if the covered instrument in Armstrong were to be partially uncovered, the cover could not function to preserve the encased instrument, one of Armstrong's stated purposes.

Similarly, Lin functions differently from Applicant's claimed subject matter. Lin relates to a guitar cover for protecting a guitar supported on a stand. In her rejection of claims 1, 5, 6 and 7, the Examiner states that Lin discloses the use of a cover with a means (12) for viewing an uncovered portion of the stringed instrument and that Figure 4 illustrates this means 12. While Lin does disclose a guitar cover, Lin also encloses all of the surfaces of the instrument held inside the case. The means 12 referred to by the Examiner is a "slit 12" described as the back slit 12 upwardly extended from the bottom portion 102 of the body cover 10. This body cover 10 makes no provision for partially uncovering any portion of the instrument. Further, Lin teaches in paragraph 26 that zippers are used with both the front slit 13 and the back slit 12 so that the user is able to quickly and easily open and close the front slit 13 and the back slit 12. While the back slit 12 may be partially closed, it is closed only to retain the cover 1 on the stand 3. Nowhere does Lin teach or suggest that the exterior surface of the body of the instrument may be uncovered thereby allowing a user to view the uncovered body of the instrument. Neither

of the cited references teaches or even suggests that a portion of the instrument should be displayed or even uncovered.

Because Applicant believes that the independent claim 1 of the instant application is patentable distinct from the cited references, or any combination of those references, dependent claims 2 through 7 are also patentably distinct by dependency for at least all of the same aforementioned reasons. Applicant also agrees that claims 2, 3 and 4 are allowable claims, but for the aforementioned reasons, they are allowable in their present form.

Applicant believes that he has responded to all of the concerns raised by the Examiner and that if Examiner has any questions about the present response, a telephone interview is requested. Reconsideration is respectfully requested.

A Petition for Extension of Time along is submitted electronically in duplicate along with the appropriate fee. No additional fees are due.

Respectfully submitted,

JOHN DAVID LARRY

/MichaePEddyPTO#42505/

By: MICHAEL P. EDDY
Attorney for Applicant
Registration No. 42,505

LAW OFFICE OF MICHAEL P. EDDY
12526 High Bluff Drive, Ste. 300
San Diego, California 92130
Telephone: (858) 345-1098
Facsimile: (858) 777-5453